

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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7 LV DIAGNOSTICS, LLC,
8 Plaintiff,
9 v.
10 HARTFORD FINANCIAL SERVICES
11 GROUP, INC., et al.,
Defendants.

Case No. 2:17-cv-01371-JCM-PAL

ORDER

(Stip Ext Time – ECF No. 33)
(Jt. Mot SC – ECF No. 34)

12 Before the court is the parties' untimely filed Stipulation and Proposed Order to Extend
13 Dispositive Motion Deadline (ECF No. 33) filed July 26, 2018. The deadline to file dispositive
14 motions expired on July 30, 2018. The stipulation was not submitted 21 days before the expiration
15 of the deadline. The parties request a 90-day extension "because they are trying to resolve this
16 matter with a settlement" and the additional time will allow the parties to complete a mediation or
17 settlement conference without incurring additional costs."

18 On August 3, 2018 the parties filed a joint motion (ECF No. 34) requesting a settlement
19 conference before a district court judge. The district judges do not conduct settlement conferences
20 in this district. Most of the district judges, including Judge Mahan, automatically refer cases to the
21 assigned magistrate judge for a mandatory settlement conference after dispositive motions are
22 decided and the joint pretrial order is filed.

In an Order (ECF No. 29) entered April 6, 2018 the court granted the parties' stipulation (ECF No 28) requesting a third extension of the discovery plan and scheduling order deadlines indicating no further extension would be allowed. The third extension gave the parties until June 28th to complete discovery, July 30, 2018 to file dispositive motions, and August 29, 2018 to file the joint pretrial order as the parties requested. The parties then filed an untimely stipulation requesting a fourth extension July 23, 2018 requesting an additional 60-day extension which the

1 court denied because the court's prior order (ECF No. 29) specifically stated that no further
2 extensions would be allowed. The parties have repeatedly filed untimely stipulations to extend
3 the discovery plan and scheduling order deadlines and have not shown either good cause or
4 excusable neglect for failing to comply with court imposed deadlines. The stipulations and joint
5 motion are therefore denied.

6 The parties are free to attempt to settle the case before the deadline for filing the joint
7 pretrial order. A mandatory settlement conference will be set on the court's first available date
8 once the joint pretrial order is filed.

9 Having reviewed and considered the matter,

10 **IT IS ORDERED** that:

- 11 1. The parties' Stipulation to Extend Dispositive Motion Deadline (ECF No. 33) is
12 **DENIED**.
- 13 2. The parties' Joint Motion for a Settlement Conference (ECF No 34) is **DENIED**.
- 14 3. The deadline for filing dispositive motions has **expired** and the deadline to file the joint
15 pretrial order is **August 29, 2018**. A mandatory settlement conference will be set on
16 the court's first available date once the joint pretrial order is filed, a trial date set, and
17 the district judge refers it for a settlement conference.

18 DATED this 10th day of August, 2018.

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20 PEGGY A. TEES
21 UNITED STATES MAGISTRATE JUDGE
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